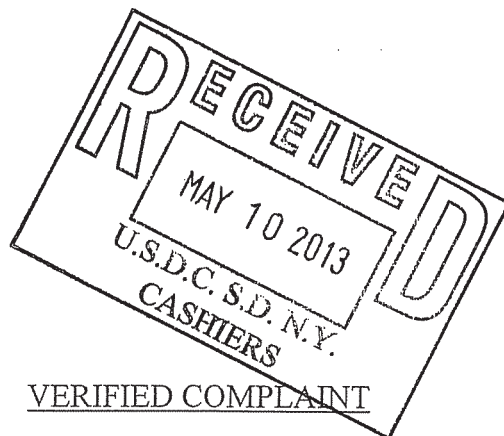


JUDGE BUCHWALD

13 CIV 3187

PREET BHARARA
 United States Attorney for the
 Southern District of New York
 By: CHRISTINE I. MAGDO
 Assistant United States Attorney
 One St. Andrew's Plaza
 New York, New York 10007
 Tel. (212) 637-2297

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK



-----X
 :
 UNITED STATES OF AMERICA,
 :
 - v. -
 :
 \$9,328.00 IN UNITED STATES
 CURRENCY,
 :
 Defendant-*in-rem*.
 :
 -----X

VERIFIED COMPLAINT

13 Civ.

Plaintiff United States of America, by its attorney, Preet Bharara, United States Attorney for the Southern District of New York, for its verified complaint alleges, upon information and belief, as follows:

I. INTRODUCTION

1. This action is brought by the United States of America, pursuant to Title 21, United States Code, Section 881(a)(6), seeking the forfeiture of \$9,328.00 in United States currency (the "DEFENDANT CURRENCY"), on the grounds that the DEFENDANT CURRENCY constitutes moneys furnished or intended to be furnished in exchange for a controlled substance, proceeds traceable to such an exchange, and/or moneys used or intended to be used to facilitate such an exchange.

II. JURISDICTION AND VENUE

2. This Court has jurisdiction pursuant to Title 28, United States Code, Sections 1345 and 1355.

3. Venue is proper under Title 28, United States Code, Sections 1355(b) and 1395(b) because actions and omissions giving rise to the forfeiture of the DEFENDANT CURRENCY took place in the Southern District of New York, and also because the DEFENDANT CURRENCY was found in the Southern District of New York.

4. The DEFENDANT CURRENCY is currently in the custody of the United States Marshals Service (“USMS”).

III. PROBABLE CAUSE FOR FORFEITURE

5. On or about September 12, 2012, members of the New York City Police Department’s Anti-Crime Unit (“NYPD”) were stationed in the vicinity of a drug prone residential building located on Broadway, in New York, New York (the “Broadway Building”).

6. At approximately 7:40 p.m., NYPD Officers observed a 2004 Jeep Cherokee (the “Vehicle”) parked in front of the Broadway Building. NYPD Officers approached the parked vehicle and observed an individual, who was later identified as Calvin Darden (“Darden”), in the driver’s seat, reaching towards the floor board of the vehicle.

7. At this time, NYPD officers observed, in plain view, what appeared to be marihuana, packaged in a plastic bag. Darden then exited the vehicle and was observed to have marihuana in his hands and U.S. currency protruding from his front pockets.

8. Upon a search incident to arrest, NYPD Officers searched the aforementioned vehicle and recovered the DEFENDANT CURRENCY in a book bag located on the rear seat of the vehicle. The DEFENDANT CURRENCY was bundled and wrapped in rubber bands, in a manner consistent with how narcotics proceeds are typically bundled and wrapped.

9. Furthermore, at the time of his arrest Darden stated, in substance and in part, that the substance in the plastic bag located on the floor board of the vehicle was a little less than half a pound of marihuana.

10. Subsequently, Darden was arrested and the DEFENDANT CURRENCY was seized.

11. On November 13, 2012, the DEFENDANT CURRENCY was transported to the United States Drug Enforcement Administration ("DEA") for processing.

12. Subsequently, the DEA began its Administrative Forfeiture proceedings against the DEFENDANT CURRENCY.

13. Thereafter, Darden submitted a claim for the DEFENDANT CURRENCY with the DEA, wherein he stated that he is the sole owner of the DEFENDANT CURRENCY, and that the DEFENDANT CURRENCY was obtained through legal and legitimate sources.

14. On or about May 1, 2013, Darden pled guilty in New York State Criminal Court to New York Penal Law - Article 221 § 221.15, criminal possession of marihuana in the fourth degree (more than 2 ounces of marihuana), and is currently awaiting sentencing.

15. The DEFENDANT CURRENCY consists of 34 \$100 bills, eight \$50 bills, 238 \$20 bills, seventy \$10 bills, twelve \$5 bills, and eight \$1 bills.

IV. CLAIM FOR FORFEITURE

16. Incorporated herein are the allegations contained in paragraphs one through fifth-teen of this Verified Complaint.

17. Pursuant to Title 21, United States Code, Section 881(a)(6), all moneys furnished or intended to be furnished in exchange for a controlled substance, all proceeds traceable to such an exchange, and all moneys used or intended to be used to facilitate such an exchange, in violation of Subchapter I of Title 21 of the United States Code, are subject to seizure and forfeiture to the United States, and no property right exists in such property.

18. The DEFENDANT CURRENCY is subject to forfeiture, pursuant to Title 21, United States Code, Section 881(a)(6), because there is probable cause to believe that the DEFENDANT CURRENCY is property involved in a transaction or attempted transaction in violation of Title 18, United States Code, Section 1956 and 1957 and/or constitutes moneys intended to be furnished in exchange for a controlled substance, and/or proceeds traceable to such an exchange, and/or moneys used or intended to be used to facilitate such an exchange, in violation of Subchapter I of Title 21 of the United States Code.

19. By reason of the above, the DEFENDANT CURRENCY became, and is, subject to forfeiture to the United States of America, pursuant to Title 21, United States Code, Section 881(a)(6).

WHEREFORE, plaintiff United States of America prays that process issue to enforce the forfeiture of the DEFENDANT CURRENCY and that all persons having an interest in the DEFENDANT CURRENCY be cited to appear and show cause why the forfeiture should not be decreed, and that this Court decree forfeiture of the DEFENDANT CURRENCY to the United States of America for disposition according to law, and that this Court grant plaintiff such further relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Dated: New York, New York
May 10, 2013

PREET BHARARA
United States Attorney for the Southern District
of New York
Attorney for the Plaintiff
United States of America

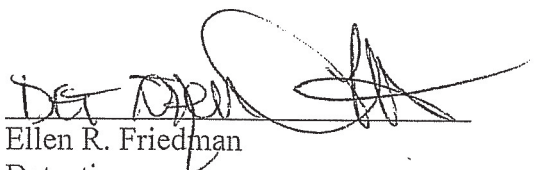
By: 
CHRISTINE I. MAGDO
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
Telephone: (212) 637-2297

VERIFICATION


STATE OF NEW YORK)
COUNTY OF NEW YORK :
SOUTHERN DISTRICT OF NEW YORK)

DETECTIVE ELLEN R. FRIEDMAN, being duly sworn, deposes and says that she is a "federal law enforcement officer" within the meaning of Rule 41(a)(2)(C) of the Federal Rules of Criminal Procedure, that is, a government agent engaged in enforcing the criminal laws; that she has been deputized as a Special Federal Officer by the Drug Enforcement Administration, and as such has responsibility for the within action; that she has read the foregoing complaint and knows the contents thereof, and that the same is true to the best of her own knowledge, information and belief.

The sources of deponent's information and the ground of her belief are conversations with other law enforcement officers and others, official records and files of the Drug Enforcement Administration, the State of New York, and the United States Government, and information obtained directly by deponent during an investigation of alleged violations of Title 21, United States Code.


Ellen R. Friedman
Detective
New York City Police Department

Sworn to before me this
10th day of May, 2013


NOTARY PUBLIC